

## OPINION 1800

### *Emys* Duméril, 1806 (Reptilia, Testudines): conserved

#### Ruling

(1) Under the plenary powers the name *Emydes* Brongniart, [1805] is hereby suppressed for the purposes of the Principle of Priority but not for those of the Principle of Homonymy.

(2) The name *Emys* Duméril, 1806 (gender: feminine), type species by subsequent designation by Lindholm (1929) *Testudo lutaria* Linnaeus, 1758 (a junior subjective synonym of *Testudo orbicularis* Linnaeus, 1758), is hereby placed on the Official List of Generic Names in Zoology.

(3) The name *orbicularis* Linnaeus, 1758, as published in the binomen *Testudo orbicularis* (senior subjective synonym of the specific name of *Testudo lutaria* Linnaeus, 1758, the type species of *Emys* Duméril, 1806, by the first reviser action of Mertens & Wermuth, 1960), is hereby placed on the Official List of Specific Names in Zoology.

(4) The name *Emydes* Brongniart, [1805], as suppressed in (1) above, is hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology.

#### History of Case 2873

An application for the conservation of the generic name *Emys* Duméril, 1806 by the suppression of the unused senior subjective synonym *Emydes* Brongniart, [1805] was received from Dr Robert G. Webb (*University of Texas at El Paso, El Paso, Texas, U.S.A.*) on 22 December 1992. After correspondence the case was published in BZN 50: 224–227 (September 1993). Notice of the case was sent to appropriate journals.

A comment in support from Prof Hobart M. Smith (*University of Colorado, Boulder, Colorado, U.S.A.*) was published in BZN 51: 52 (March 1994).

#### Decision of the Commission

On 1 September 1994 the members of the Commission were invited to vote on the proposals published in BZN 50: 226. At the close of the voting period on 1 December 1994 the votes were as follows:

Affirmative votes — 24: Bayer, Bock, Bouchet, Cocks, Cogger, Corliss, Hahn, Heppell, Holthuis, Kabata, Lehtinen, Macpherson, Mahnert, Martins de Souza, Minelli, Nielsen, Nye, Savage, Schuster, Starobogatov, Štys, Thompson, Trjapitzin, Willink

Negative votes — none.

No votes were received from Halvorsen and Uéno.

Dupuis, Kraus and Ride were on leave of absence.

#### Original references

The following are the original references to the names placed on Official Lists and an Official Index by the ruling given in the present Opinion:

*Emydes* Brongniart, [1805], *Essai d'une classification naturelle des reptiles ...*, p. 27.

*Emys* Duméril, 1806, *Zoologie analytique ou méthode naturelle de classification des animaux ...*, p. 76.

*orbicularis*, *Testudo*, Linnaeus, 1758, *Systema Naturae*, Ed. 10, vol. 1, p. 198.

The following is the reference for the designation of *Testudo lutaria* Linnaeus, 1758 as the type species of the nominal genus *Emys* Duméril, 1806:

Lindholm, W.A. 1929. *Zoologischer Anzeiger*, **81**: 282, footnote.

The following is the reference for the first reviser selection of the precedence of *Testudo orbicularis* over *T. lutaria*, both of Linnaeus (1758):

Mertens, R. & Wermuth, H. 1960. *Die Amphibien und Reptilien Europas*, p. 12.